

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 6-2004

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 18, 2004 commencing at 6:30 p.m.

ATTENDANCE

- Council: Regional Chair Partington; Councillors Almas; Bailey; Baty; Bentley; Bodner; Burroughs; Casselman; Collins; Davidson; Eke; Goulbourne; Harry; Heit; Hildreth; Hodgson; Katzman; Leavens; Marshall; Martin; Mastroianni; Nicholson; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.
- Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Farley, Director of Planning Services; Ms. Fontana, Director, Corporate Health Services & Employee Relations; Ms. Gilroy, Acting Regional Clerk; Dr. Klooz, Medical Officer of Health; Mr. Neville, Commissioner, Public Works; Ms. Reid, Commissioner, Community Services; Ms. Reilly, Legislative Assistant.
- Other Staff: Administration: Mr. Robson, Director, Corporate Strategy;
Clerk's Department: Ms. Happlewhite, Records Manager/Deputy Clerk.
Public Health: Mr. Bertleff, Supervisor, Emergency Measures.
- Police: Chief Nicholls, Deputy Chief Moody, Supt. D. Parent, Dr. P. Diver, Corporate Support Analyst, N.R.P.S.; Insp. S. Landry, Border Enforcement Team, R.C.M.P.

CLOSED SESSION

109. Moved by Councillor Baty
Seconded by Councillor Trombetta

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.

110. Border Security
Committee received a comprehensive report on Border Security and the roles, responsibilities and obligations to Canada's First Line Defense in Niagara.

Moved by Councillor Timms
Seconded by Councillor Bentley

That a meeting be convened between the Regional Chair and staff, 12 Mayors, the Police Services Board Chair, the Chief of Police and staff to meet with local MPPs and MPs before April 30th, 2004, to educate them about the issues and to have our concerns addressed at the provincial and national levels in order to ensure security and economic prosperity in the Region and the Province of Ontario.

Carried.

COMMITTEE OF THE WHOLE, RISE AND REPORT

111. Moved by Councillor Timms
Seconded by Councillor Eke

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:45 p.m. with an Invocation by Councillor Bodner followed by the singing of O' Canada.

CONFLICTS OF INTEREST

Councillor Bailey declared an indirect pecuniary interest with respect to any matters relating to the Niagara Regional Housing as his daughter is an employee of the Corporation, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Casselman declared an indirect pecuniary interest with respect to any matters relating to the Human Resources Department Budget as a family member is an employee of a consulting firm that does business with the Region, and she therefore took no part in the discussion of, or voting on, these matters.

Councillor Heit declared an indirect pecuniary interest with respect to those organizations that deal with wireless communication as he is employed by a wireless communication company and to waste management matters with respect to Modern Collection, as they are a client of his, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Marshall declared an indirect pecuniary interest with respect to any matters relating to the Niagara Health System, as he is an employee of the Niagara Health System, 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 any matters related to the Roberts Street Gateway Project, as he represents someone who lives on Roberts Street, and to any matters related to the leasing of the P.O.A. Court in Welland as he has an interest in a property in that area, and he therefore took no part in the discussion of, or voting, on these matters.

Regional Chair Partington declared an indirect pecuniary interest with respect to any budget matters relating to the Public Health Department as his spouse is an employee of that department, and he therefore took no part in the discussion of, or voting on, these matters.

Regional Chair Partington declared an indirect pecuniary interest with respect to PWP 12-2004, Public Works Staff Comments on Development and Related Proposals, March 9, 2004, City of St. Catharines, Official Plan Amendments, Regional Policy Plan Amendments on Page 32 of the report, regarding the Niagara North Health Complex, as the property owners are clients of his law firm, and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters related to the Homes for the Aged, as he is an employee of a Seniors Home, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Timms declared an indirect pecuniary interest with respect to any matters relating to development charges, as his family owns a business that may be subject to development charges, and he therefore, took no part in the discussion of, or voting on, these matters.

ADOPTION OF THE AGENDA

112. Moved by Councillor Collins
Seconded by Councillor Martin

That Council Agenda CL 6-2004 be adopted as amended to change the order of Committee Reports by dealing with the Committee of the Whole and Public Works & Utilities Committee minutes first and that they be dealt with prior to Presentations.

Carried.

113. **CHAIRMAN'S REMARKS**

- The Regional Chair thanked Pioneer Flower Farms for the beautiful display of spring flowers.
- The Chair had a productive meeting with Minister Jim Bradley to discuss issues at the provincial level that have an impact on the Niagara Region.

- The Regional Chair is continuing with his commitment to visit municipalities to meet with residents and hear their concerns. He had his first session in Pelham with Mayor Ron Leavens and Councillor Brian Baty. His next session will be in Thorold on March 30th and he has invited Mayor Robin Davidson and Councillor Rob Gabriel to attend.
- The Chair visited the Humberstone Landfill in Welland and the site is changing greatly as a result of the improvements that the Region is making to the site.
- The Chair apprised Council of the public consultation that is to take place to look at options for the reconstruction of Glenridge Avenue in St. Catharines. A public meeting is scheduled for Tuesday, April 6 at Regional Headquarters.
- The Smarter Niagara Summit is being held on March 25th at White Oaks in Niagara-on-the-Lake. Everyone is invited to attend.

APPROVAL OF MINUTES

114. Report 2-2004

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report CW 2-2004, being the minutes of the Committee of the Whole meeting of Thursday, March 4, 2004, be approved and adopted.

Carried.

115. Report 5-2004

Moved by Councillor Almas
Seconded by Councillor Heit

That Report 5-2004, being the minutes of the Proceedings of Council of Thursday, March 4, 2004, be approved and adopted.

Carried.

CORRESPONDENCE

116. The following Communications were received and dealt with as follows:

C6218 Peter Partington, Regional Chairman (March 12, 2004) respecting Resolutions from other Municipalities.

City of Kawartha Lakes resolution (February 3, 2004) requesting Premier McGuinty and Dwight Duncan, Energy Minister to take immediate steps to permanently reinstate the prohibition on the disconnection of electricity in the Winter by Hydro One.

City of Kawartha Lakes resolution (January 20, 2004) to petition the Government of Ontario and Premier Dalton McGuinty to review the system of Current Value Assessment (CVA) and implement a system of property assessment that protects property owners in Ontario from volatile property assessment increases and promotes a more stable system of property assessment within the Province of Ontario.

City of Kawartha Lakes resolution (February 3, 2004) requesting the Association of Municipalities of Ontario (AMO) on behalf of its member municipalities approach the provincial government requesting that the powers of the Ontario Municipal Board (OMB) be limited in dealing with amendments to municipal official plans and zoning by-laws which implement existing official plans.

Received.

- C6219 Ted Palmer, Executive Director, Business Education Council of Niagara (March 3, 2004) expressing gratitude to the Niagara Region for their donation of used computers to the BEC for the use of Niagara agencies and individuals in need.

Received.

- C6220 Don Campbell, Planner, Staff Coordinator, Ecological & Environmental Advisory Committee (March 10, 2004) respecting Council Representation on EEAC.

Received.

- C6221 Memorandum to Regional Chairman Peter Partington and Members of Council requesting support of Councillor Robin Davidson's appointment to the Public Works and Utilities Committee effective March 23, 2004.

Received and Councillor Robin Davidson be appointed to the Public Works and Utilities Committee effective March 23, 2004.

- C6222 Memorandum to Regional Chairman Peter Partington, and Members of Council requesting approval of Amended Report PHD 14-2004/CSD37-2004 and Bill 32.

Approved.

Moved by Councillor Zimmerman
Seconded by Councillor Davidson

That Communications C6218 to C6222 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

COMMITTEE REPORTS

Regional Chair Peter Partington vacated the Chair and Councillor Collins, as Acting Regional Chair, assumed the Chair.

COMMITTEE OF THE WHOLE

117. Moved by Councillor Martin
Seconded by Councillor Saracino

That the decisions made in the Committee of the Whole meeting on Thursday, March 18, 2004, be approved and adopted.

Carried.

BUDGET REVIEW COMMITTEE

118. Report 7-2004

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report BRC 7-2004, being the minutes of the Budget Review Committee meeting of Thursday, March 4, 2004, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

119. Report 8-2004

Moved by Councillor Rigby
Seconded by Councillor Burroughs

That Report PW 8-2004, being the minutes of the Public Works and Utilities Committee of Tuesday, March 9, 2004, be approved and adopted.

Carried.

Regional Chair Partington assumed the Chair

PRESENTATIONS

120. International Awards for Liveable Communities
Promotion of a Successful 2004 Event in Niagara
Mr. Alan Smith, Executive Director, International Awards for Liveable Communities, attended to apprise Council and the public of the International Awards for Liveable Communities which is being hosted in Niagara this October. The event was originally called "Nations in Bloom" but has been changed to Liveable Communities to more accurately reflect its showcase of best practices with respect to good management of local environment; Heritage and preservation of Natural Resources, History and Culture; Enhanced Landscaping; Environmentally Sensitive Planning; and Planning for the Future. The event will host approximately 200 delegates from over 50 countries.
121. Compensation for the Greenbelt "freeze"
Dr. Bacher, Researcher, Preservation of Agricultural Lands Society (PALS) expressed concerns with respect to the Greenbelt Freeze. It is PALS view that this request/demand for supposedly lost development potential, represents an unfair attack on long needed measures to protect the Niagara fruit lands for the public good. He commented that there is sufficient land in the Niagara Regional Urban Boundaries to accommodate future growth. Dr. Bacher commented that the Niagara Region should take pride in how its Official Plan intentions to preserve fruit lands and to redirect growth to poorer lands, are complemented by this long overdue intervention by the Provincial government. He urged Regional Council to reconsider the Planning Committee's motion.

COMMITTEE REPORTS (continued)

CORPORATE AND FINANCIAL SERVICES COMMITTEE

122. Report 8-2004

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report CFS 8-2004, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, March 10, 2004, be approved and adopted.

Carried.

PLANNING SERVICES COMMITTEE

123. Report 5-2004

Moved by Councillor Smeaton
Seconded by Councillor Baty

That Report PS 5-2004, being the minutes of the Planning Services Committee meeting of Wednesday, March 10, 2004, be approved and adopted.

124. Proposed Greenbelt Legislation

Moved by Councillor Davidson
Seconded by Councillor Collins

That Minute Item 77, in Report PS 5-2004, respecting Report DPD 32-2004, Impact of Provincial Zoning Order and Proposed Greenbelt Legislation on Active Regional Policy Plan Amendments, be lifted and dealt with separately by this Council at this time.

Carried.

Moved by Councillor Smeaton
Seconded by Councillor Harry

That Minute Item 77, in Report PS 5-2004, respecting Report DPD 32-2004, Impact of Provincial Zoning Order and Proposed Greenbelt Legislation on Active Regional Policy Plan Amendments, be referred to staff for further report.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion, as amended, was carried.

COMMUNITY SERVICES COMMITTEE

125. Report 5-2004

Moved by Councillor Baty
Seconded by Councillor Katzman

That Report CSC 5-2004, being the minutes of the Community Services Committee meeting of Monday, March 8, 2004, be approved and adopted.

Carried.

PUBLIC HEALTH SERVICES COMMITTEE

126. Report 5-2004

Moved by Councillor Timms
Seconded by Councillor Baty

That Report PHSC 5-2004, being the minutes of the Public Health Services Committee meeting of Monday, March 8, 2004, be approved and adopted.

Carried.

CHIEF ADMINISTRATIVE OFFICER'S REPORT

127. Report CAO 5-2004

Moved by Councillor Baty
Seconded by Councillor Timms

That Report CAO 5-2004, Partnering with Environment Canada – To Develop a 'Sustainability Plan' using The Melbourne Principles, be received for information.

Carried.

BY-LAWS

128. Moved by Councillor Bentley
Seconded by Councillor Casselman

That the following bills be now read and do pass:

Bill 27

A by-law to add a portion of a lower-tier highway to the Region's Highway System and to establish part of Lot 6, Registered Plan 234, in the City of Niagara Falls as part of Regional Road No. 420 (locally known as Falls Avenue).

Bill 28

A by-law to establish part of Township Lot 37, in the City of Niagara Falls as part of Regional Road No. 102 (Stanley Avenue).

Bill 29

A by-law to establish part of Township Lot 78, in the City of Niagara Falls as part of Regional Road No. 57 (Thorold Stone Road).

Bill 30

A by-law to establish part of Township Lot 231, in the City of Welland as part of Regional Road No. 41 (Woodlawn Road).

Bill 31

A by-law to establish part of Lot 22, Concession 5, in the City of St. Catharines as part of Regional Road No. 38 (Martindale Road).

Bill 32

A by-law to authorize debenture financing (1-5 years) in the amount of \$360,806 for Capital Project ZGR0502, Ambulance and Related Equipment.

Bill 33

A by-law to adopt an Emergency Management Program and Emergency Management Plan governing the provision of necessary services during an Emergency.

Bill 34

Municipal Housing Facility by-law.

Bill 35

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 18th day of March, 2004

Carried.

129. Moved by Councillor Bodner
Seconded by Councillor Bailey

That the following bills be now read and do pass:

Bill 36

A by-law to provide for the regulation of Traffic on Regional Highways.

Bill 37

A by-law to authorize Debenture Financing (3-5 years) in the amount of \$478,000 for Project ZGC0105, Employment Information System

Carried.

ADJOURNMENT

The Council meeting adjourned at 9:35 p.m.

Peter Partington
Regional Chairman

Gail Reilly
Legislative Assistant

Michael Collins
Acting Regional Chair

Pam Gilroy
Acting Regional Clerk