

THE REGIONAL MUNICIPALITY OF NIAGARA

PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 1-2006

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, January 11, 2006 commencing at 1:00 p.m.

ATTENDANCE

Committee: Councillors Rigby, Co-Chair; Smeaton, Co-Chair; Regional Chair Partington, Angelone, Baty, Bentley, Bodner, Brock, Casselman, Eke, Gabriel, Harry, Hildreth, Hodgson, Leavens, Mastroianni, Redekop, Salci, Timms, Trombetta, Viola, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Neville, Commissioner, Public Works; Cambray, Commissioner, Planning & Development Department; Farley, Director, Planning Services; Brcic, Director, Water & Wastewater Services; Cousins, Director, Transportation Services; Sidawi, Director, Operation Support Services; Friesen, Director, Waste Management Services; Ms. Pilon, Acting Deputy Clerk.

Staff (Part Time): Messrs. Kyne, Director, Legal Services; Lockyer, Treasurer/Director, Financial Management & Planning; Robson, Director, Community Integration; Roach, Manager Public Works, Financial Services; Berketo, Manager, Solid Waste Policy & Planning; Waste Management Engineering; Kaas, Manager, Financial Operations & Support; Ms. Emeneau, Planner; Ms. Donia, Planner; Ms. Crawley, Program Manager; Ms. Lambe, Business Partner, Strategic Communications.

Councillors Rigby and Smeaton shared the responsibility of chairing the meeting, Councillor Rigby chaired the Public Works Department items and Councillor Smeaton chaired the Planning & Development Department items.

CLOSED SESSION

1. Moved by Councillor Trombetta
Seconded by Councillor Salci

That this Committee do now meet in Closed Session for the purpose of receiving information of a confidential nature relating to legal matters.

Carried.

2. Contract RN 06-01
Reconstruction of Regional Road 89 (Glendale Avenue)
City of St. Catharines
Project ZRC9817/RC0238 –

The Committee was provided with a brief overview of the circumstances surrounding the award of Contract RN 06-01.

3. Moved by Councillor Redekop
Seconded by Councillor Harry

That this Committee do now rise without report.

Carried.

PRESENTATION

4. Tender Contract No. RN 06-01
Regional Road 89 (Glendale Avenue) Reconstruction
City of St. Catharines

Mr. John Black, V.P., Regional Construction, Asphalt & Recycling, The Hard Rock Group, advised the Committee that he is convinced that The Hard Rock Group's tender was delivered to the Region on time and therefore, requests that the Committee consider their position when considering the awarding of Contract RN 06-01.

Mr. Gottli, Alfidome Construction Limited advised the Committee that they submitted their tender for Contract RN 06-01 in accordance with the terms and provisions of the Niagara Peninsula Standard Contract Document., which required the tenderers to adhere strictly to the instructions that stipulated that all tenders must be sealed and submitted to the Regional Clerk by 2:00 pm on Tuesday, December 20, 2005 and that the tenders received later than the time specified will not be accepted, regardless of the postal seal date.

Mr. Gottli noted that The Hard Rock Group's tender was time stamped 2:01 pm, which is one minute passed the time stipulated in the Niagara Peninsula Standard Contract Document, which is clearly in violation of the terms and provisions.

Mr. Gottli advised the Committee that there is nothing that would allow the Region to open the Hard Rock Group's bid at a later date, as the tender was late and should not be considered and based on the terms and provisions it should be rejected.

Mr. Gottli requested that the Committee consider awarding the contract to the low bidder from the bids opened in accordance with the terms and provisions of the tender documents, Alfidome Construction Limited.

Mr. George Barkwell, Advisor and Consultant to the Heavy Construction Association of Regional Niagara advised the Committee that the Heavy Construction Association of Regional Niagara in no way states any preference or bias for any party and that they are only appearing before the Committee to reinforce the importance of fairness and a level playing field respecting the tendering process.

Mr. Barkwell noted that when the tendering process is compromised through deliberations then future and past tenderers become confused and those who were late in the past begin to consider that they should have taken steps to have their tenders included.

Mr. Barkwell advised the Committee that they should look seriously at the decision they will be making on this tender award, as it will affect the tendering process.

Moved by Councillor Harry
Seconded by Councillor Zimmerman

That the presentations made by The Hard Rock Group, Alfidome Construction Limited and the Heavy Construction Association of Regional Niagara, be referred to the Committee's Closed Session deliberations on Contract RN 06-01.

Carried.

5. Official Plan Amendment No. 63
Industrial to Tourist Commercial
Lyon's Creek Road and Montrose Road
City of Niagara Falls
DPD 7-2006

Mr. Brady, Urban & Environmental Management Inc., advised the Committee that the existing "Environmental Protection Area" that has been designated on the watercourse will be retained to provide an acceptable buffer for the fish habitat and are in agreement with the provisions in the report.

Dr. Bacher advised the Committee that this area is a matter of great ecological significance and sensitivity, which has not been addressed in the reports.

Dr. Bacher requested that the Committee request a Peer Review on the proposed rezoning prior to making their decision.

Ms. Grandoni provided the Committee with photographs of the area noting that the recommendation to zone the area "DH" to facilitate tree preservation, is ineffective as the forest is being pillaged, fill is being dumped in the interior, which includes

one load of asphalt with the construction of a road to alleviate the access problems created by numerous wetlands.

Ms. Grandoni advised the Committee that Wetland Scoring & Evaluation study contains inaccuracies in ranking species at risk and has not evaluated the need to maintain a woodlot corridor between the watercourse on these lands and another watercourse located south of Lyon's Creek Road, therefore a more detailed assessment of these woodlands would be desirable to provide clearer direction for preparing future development plans.

Ms. Grandoni requested that the Committee defer the report pending a Peer Review that encompassed an all species inventory and wetland scoring and evaluation and hydro geological study; the enforcement of the Region's Tree By-Law to ensure no exemption until the Peer Review is complete and EPA Zone placed on forest to be protected; an inventory be done of acreages of all forest lost over the past thirty-five (35) years – since 1970 in Niagara Falls, within the urban area and outside boundaries between Niagara Falls and Thorold and north of Welland River, and counting what Golf Courses have destroyed (e.g. Just south of Welland River); an inventory of acreages lost since 1993 Urban Wooded & Treed Inventory & Assessment Study relative to that study's Urban Only Inventory.

6. Final Recommendations Report
Regional Policy Plan Amendment 3-2005
Agri-Plastics Manufacturing Business
Township of West Lincoln
DPD 8-2006

Mr. Brady, Urban & Environmental Management Inc., advised the Committee that the purpose of the amendment application is to recognize and permit the existing operation to continue and to permit a consolidation of other portions of the business currently operating in buildings on separate areas of the property.

The Committee was also advised that the Township of West Lincoln is in support of the application.

7. Appeal of Consent Application B34/2005WL
Regional Road 20, West of Regional Road 12
Township of West Lincoln
DPD 4-2006

Mr. Johnson, a West Lincoln Alderman, who appeared before the Committee as a resident of the Township of West Lincoln not on behalf of the West Lincoln Council.

Mr. Johnson advised the Committee that there are a number of inaccuracies in the report, as the property has no practical agriculture uses, the reference to a Type 2 Fish Habitat should be revisited as the ditch in the vicinity of the property is

relatively flat, frozen throughout the winter and exposed to salt during the winter months.

Mr. Johnson also noted that the MDS formula should take into consideration the wind direction which is from the southwest and the existing residences and industrial sites in the vicinity of the poultry operation. There is also adequate space for the septic system.

Mr. Johnson requested that the Committee withdraw their appeal to the Ontario Municipal Board as there is no obvious reasons to deny the application.

Mr. Vander Wier appeared before the Committee on behalf of his son, who took possession of the property in March 2005.

Mr. Vander Wier advised the Committee that there have been no objections from the neighbours and the relevant municipal departments. In respect to the MDS formula, he has been advised that 370 feet is an adequate distance between the property and the poultry operation.

Mr. Vander Wier requested that the Committee withdraw their appeal and uphold the decision of the Township of West Lincoln's Committee of Adjustment.

8. Niagara-Hamilton WastePlan

Mr. Merriman, MacViro Consultants Inc. noted that the draft report on the selection of the preferred disposal system presents the consultant's conclusion on the preferred disposal system for public consultation and that there will be no decisions made on the preferred disposal system at this time until comments are received from interested public, agencies and other stakeholders.

The Committee was advised that following a thorough analysis the consultants recommend System 2B, the Thermal Treatment of Municipal Solid Waste and Recovery of Energy followed by Recovery of Materials from the Ash/Char, as the preferred disposal system for Niagara and Hamilton.

Mr. Merriman provided the Committee with an overview of the Eight Step Evaluation Process: Selection of the Preferred Disposal System and the consultation process during the selection of the system. The consultants during their analysis reviewed high diversion programs around the world; examined the philosophy of a "Zero Waste" Society; considered potential for additional diversion for both Niagara and Hamilton, when in 2004 Niagara was at 46% with organics and Hamilton was at 28% with no organics diversion and concluded that there are no comparable municipalities who have achieved 65% diversion at this time and that a 65% diversion rate is a reasonable target for the planning of disposal needs, therefore, the projected waste quantities and composition was based on achieving 65% diversion.

Alternative Systems were then formulated to manage the remaining 35%. There were eight alternative systems evaluated through a “Net Affect Analysis”.

Mr. Plaice, Jacques Whitford Limited continued with the presentation explaining the evaluation methodology and results. The applied methodology utilized a qualitative approach that allows for a more reasoned explanation of decisions and results and avoids the debate that arises over the numbers and limits that define the data ranges/effects and better facilitates the review of the results and feedback by the general public compared to a quantitative approach. The consultants compared the Alternative Systems, through a “Pair Wise” comparison, which involved three levels of comparison of alternative systems in pairs. This approach allowed for due consideration to systems ranked between best and worst for comparative considerations. The detailed analysis of pairings can be found in Appendix 5 and 6 Table 8.1 which presents the comparison of the final pair of systems (the preferred landfill based system 1 and the preferred thermal based system 2B).

Councillor Eke reminded the Committee of the meetings being held on January 16, 2006 at 7:00 p.m. in the City of Hamilton’s Council Chambers and on January 17, 2006 at 7:00 p.m. in Niagara Region’s Council Chambers to receive delegations on the draft report.

9. 2006 Current Budget Rate Programs

Mr. Lockyer provided the Committee with an overview of the 2006 Current Budget: Rate Programs for the Water, Wastewater and Waste Management, which have been separate from the tax levy discussions to date and require a separate budget approval and Capital budget approval, due to the different method of raising funds.

Moved by Councillor Angelone
Seconded by Councillor Eke

That the Water & Wastewater and Waste Management 2006 Operating Budgets and their presentations, be deferred to the February 1, 2006 Planning and Public Works Committee meeting.

Carried.

OPERATIONS
(STATUS REPORTS)

10. Minimum Distance Separation Formula and
Farm Retirement Severance B11/2005WL
Township of West Lincoln
DPD 2-2006

Moved by Councillor Redekop
Seconded by Councillor Trombetta

That Report DPD 2-2006, January 11, 2006, respecting the Minimum Distance Separation Formula and Farm Retirement Severance B11/2005WL in the Township of West Lincoln, be received and a copy circulated to the Township of West Lincoln for information.

Carried.

11. Appeal of Consent Application B34/2005WL
Regional Road 20, West of Regional Road 12
Township of West Lincoln
DPD 4-2006

Moved by Councillor Trombetta
Seconded by Councillor Bentley

That Report DPD 4-2006, January 11, 2006, respecting the Appeal of Consent Application B34/2005WL, Regional Road 20, West of Regional Road 12 in the Township of West Lincoln, be received.

That Regional Council ***withdraw their*** appeal to the Ontario Municipal Board of the decision of the Township of West Lincoln Committee of Adjustment to grant Consent Application B34/2005WL.

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

Carried.

12. Official Plan Amendment No. 55
Expansion of Thorold Auto Parts and Recyclers
Beaverdams Road, west of Thorold Townline Road
City of Thorold
DPD 5-2006

Moved by Councillor Leavens
Seconded by Councillor Hildreth

That Report DPD 5-2006, January 11, 2006, respecting the Official Plan Amendment No. 55, Expansion of Thorold Auto Parts and Recyclers, Beaverdams Road, west of Thorold Townline Road in the City of Thorold, be received.

That Amendment No. 55 to the City of Thorold Official Plan to permit the expansion of an existing automotive recycling facility be approved.

That all parties be notified of Regional Council's decision on this application in accordance with Provincial regulations.

That staff issue a declaration of final approval for the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

13. Official Plan Amendments 31 and 36
New Consent Policies for the Comprehensive Official Plan
Town of Lincoln
DPD 6-2006

Mr. Cambray indicated that the Province had requested further changes and these would be part of the next 5 year review.

Moved by Councillor Hodgson
Seconded by Councillor Leavens

That Report DPD 6-2006, January 11, 2006, respecting the Official Plan Amendments 31 and 36, New Consent Policies for the Comprehensive Official Plan in the Town of Lincoln, be received.

That Deferral 1 to the Lincoln Official Plan pertaining to proposed Text Amendments 27, 28, 29 and 30 (Creation of New Residential Lots in Agricultural Areas) contained in Official Plan Amendment 31 be removed.

That Official Plan Amendment 31 be further modified by removing Text Amendments 27 through 30 as requested by the Town of Lincoln.

That Amendment 36 to the Town of Lincoln Official Plan to include new consent policies in the Official Plan be approved with one modification as identified in this report.

That the Town of Lincoln be requested to incorporate the proposed Provincial modifications identified in Appendix 1 when it undertakes the 5-year review of the Official Plan.

That all parties be notified of Regional Council's decision on this Amendment application in accordance with Provincial regulations.

That staff issue a declaration that Council's decision on the Amendment is final if no appeals are lodged within twenty (20) days of giving notice of Council's decision.

That a copy of this report be forwarded for information purposes to the Town of Lincoln and all commenting agencies and departments.

Carried.

14. Official Plan Amendment No. 63
Industrial to Tourist Commercial
Lyon's Creek Road and Montrose Road
City of Niagara Falls
DPD 7-2006

Moved by Councillor Salci
Seconded by Councillor Angelone

That Report DPD 7-2006, January 11, 2006, respecting the Official Plan Amendment No. 63, Industrial to Tourist Commercial, Lyon's Creek Road and Montrose Road in the City of Niagara Falls, be received.

That Amendment No. 63 to the City of Niagara Falls Official Plan be approved.

That all parties be notified of Regional Council's decision on this application in accordance with Provincial regulations.

That staff issue a declaration that Council's decision is final if no appeals are lodged within twenty (20) days of giving notice of the decision.

Carried.

15. Amendments to Smarter Niagara Steering Committee's
Terms of Reference
DPD 9-2006

Moved by Councillor Timms
Seconded by Councillor Baty

That Report DPD 9-2006, January 11, 2006, respecting Amendments to Smarter Niagara Steering Committee's Terms of Reference, be received **as amended**.

That the Terms of Reference include the preparation of an end of term Progress Report, due the last month of the term.

That the amended Terms of Reference for the Smarter Niagara Steering Committee as set out in the body of the report and reflected in Appendix 1, be approved.

Carried.

16. Erie Canal: History, Planning and Compatible Development
2005 New York State Canal Conference
DPD 138-2005

Moved by Councillor Brock
Seconded by Councillor Hildreth

That Report DPD 138-2005, October 26, 2005, respecting the Erie Canal: History, Planning and Compatible Development, 2005 New York State Canal Conference, be received as **amended**.

That the Planning and Development Department include the 2006 registration fee for the 2006 conference in the 2006 budget.

That the Planning and Development and Public Works staff report back on the inclusion of funding for Circle Route signage in the 2006 budget.

That the report be circulated for information to the local municipalities, the Greater Niagara Circle Route Committee, the Niagara Economic Development Corporation and local MPs and MPPs.

Carried.

17. Consent Summary
From November 21, 2005 to December 18, 2005
DPD 11-2006

Moved by Councillor Baty
Seconded by Councillor Harry

That Report DPD 11-2006, January 11, 2006, respecting the Consent Summary from November 21, 2005 to December 18, 2005, be received for information.

Carried.

18. Regional Comments on Development Proposals
From November 21, 2005 to December 18, 2005
DPD 12-2006

Moved by Councillor Eke
Seconded by Councillor Bentley

That Report DPD 12-2006, January 11, 2006, respecting Regional Comments on Development Proposals from November 21, 2005 to December 18, 2005, be received for information.

Carried.

19. Ecological and Environmental Advisory Committee
November 24, 2005

Moved by Councillor Harry
Seconded by Councillor Angelone

That the minutes of the Ecological and Environmental Advisory Committee meeting held on November 24, 2005, be received and the recommendations contained therein be approved.

Carried.

20. Planning Review Committee
November 24, 2005

Moved by Councillor Harry
Seconded by Councillor Angelone

That the minutes of the Planning Review Committee meeting held on November 24, 2005, be received and circulated.

Carried.

21. Agricultural Sub-Committee
December 13, 2005

Moved by Councillor Harry
Seconded by Councillor Angelone

That the minutes of the Agricultural Sub-Committee meeting held on December 13, 2005, be received.

Carried.

22. Greater Niagara Circle Route Committee
December 14, 2005

Moved by Councillor Harry
Seconded by Councillor Angelone

That the minutes of the Greater Niagara Circle Route Committee meeting held on December 14, 2005, be received and the recommendations contained therein be approved.

Carried.

23. Update on the Status of Funding Agreements for the
Millennium Partnerships Initiatives Program (formerly known as SuperBuild)
PWP 01-2006

Moved by Councillor Angelone
Seconded by Councillor Bodner

That Report PWP 01-2006, January 11, 2006 respecting an Update on the Status of Funding Agreements for the Millennium Partnerships Initiatives Program (formerly known as SuperBuild), be received for information.

Carried.

24. Expropriation of Additional Lands
1162740 Ontario Limited – 315 Glendale Avenue
Reconstruction of Regional Road No. 89 (Glendale Avenue)
City of St. Catharines

PWA 02-2006

Moved by Councillor Redekop
Seconded by Councillor Leavens

That Report PWA 02-2006, January 11, 2006, respecting the Expropriation of Additional Lands, 1162740 Ontario Limited – 315 Glendale Avenue, Reconstruction of Regional Road No. 89 (Glendale Avenue) in the City of St. Catharines, be received.

That the Region's Legal Services Division be authorized to initiate expropriation procedures for the acquisition of additional lands to accommodate the relocation of a driveway exit from the Glendale Court Apartments at the intersection of Regional Road No. 89 (Glendale Avenue) and the proposed northerly extension of Mountain Street in the City of St. Catharines.

That Regional Council receive the attached application (Appendix 2) of The Regional Municipality of Niagara for approval to expropriate lands described as Part of Lot 11, Registered Plan 562, being part of the lands municipally known as 315 Glendale Avenue, in the City of St. Catharines, pursuant to the *Expropriations Act*.

That all expropriation costs be charged against Capital Works Project ZRC0238.

Carried.

25. Parking Restriction Enforcement
Regional Headquarters and
Environmental Centre
City of Thorold

PWA 03-2006

Moved by Councillor Angelone
Seconded by Councillor Eke

That Report PWA 03-2006, January 11, 2006, respecting the Parking Restriction Enforcement, Regional Headquarters and Environmental Centre in the City of Thorold, be received.

That the Region's Solicitor be authorized to prepare a parking enforcement by-law that restricts the use of the parking lots associated with Regional Headquarters and

That Regional Council be advised that the estimated cost for the required interchange upgrades at Highway 406 and Regional Road 20 has increased from \$1,471,200 to \$1,754,111;

That the Region enter into an agreement with the Ministry of Transportation (MTO) that will authorize the MTO to proceed with the required interchange upgrades at Highway 406 and Regional Road 20 at a revised estimated cost to the Region of \$1,754,111, subject to approval of the 2006 Capital Budget;

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 agreement on behalf of the Regional Municipality of Niagara are presented to Regional Council on January 19, 2006;

And further, that the actual construction cost be charged against Capital Works Project No. ZRC0017 (Widening of Regional Road 20, Pelham Road to Hwy 406).

Carried.

28. Fuel Price Impact Working Group
PWA 12-2006 (CSD 13-2006)

Moved by Councillor Angelone
Seconded by Councillor Viola

That Report PWA 12-2006 (CSD 13-2006), January 11, 2006, respecting the Fuel Price Impact Working Group, be received.

That consideration be given in the Region's Year End Transfer report to provide one time funding in the amount of \$250,000 towards the establishment of a Fuel Price Stabilization reserve to be used to mitigate against significant budgetary shortfalls in Regional fuel budgets caused by unexpected fuel price increases.

That staff be directed to identify existing contracts that are deemed essential, which has a large fuel cost component, are long term in nature, and are at least three years from the date of completion, and negotiate the inclusion of a mechanism as identified in this report to address the issue of fuel price fluctuation and report back to Committee and Council for approval.

That this report be forwarded to the Police Services Board for information.

Carried.

(Please note that Report PWA 12-2006 (CSD 13-2006) can be found behind the JNT RPTS Blue Book Tab)

29. Niagara-Hamilton WastePlan Joint Working Group
November 10, 2005

Moved by Councillor Eke
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan Joint Working Group meeting held November 10, 2005, be received.

Carried.

30. Waste Management Planning Steering Committee
December 13, 2005

Moved by Councillor Eke
Seconded by Councillor Trombetta

That the minutes of the Waste Management Planning Steering Committee meeting held December 13, 2005, be received.

Carried.

PLANNING AND PRIORITIES
(STRATEGIC PLANNING/POLICY)

31. Comments on *Places to Grow*
A Growth Plan for the Greater Golden Horseshoe
(November Draft)
DPD 3-2006

Mr. Cambray briefly reviewed the report noting the Growth Plan's direction to direct development to build-up areas and protect employment lands. The Niagara-GTA Corridor is shown. The comments emphasize the Go South strategy of the Regional Policy Plan, the extension of Highway 406 to Port Colborne, the Gateway Economic Zone and Welland as an urban growth centre. St. Catharines is shown as a growth centre. Comments are due by January 27th.

The Committee requested that the report include:

- a reference to Niagara Region's review of all the planning processes
- a reference to the City of Port Colborne's growth potential through Niagara's Go South initiative
- a reference that provides Niagara's communities with the final word on what they want for their communities

- a reference to the Township of West Lincoln's growth potential noting the identification of the Niagara GTA Corridor
- the recommendations the requested changes set out in the report.

Moved by Councillor Timms

Seconded by Councillor Trombetta

That Report DPD 3-2006, January 11, 2006, respecting the Comments on *Places to Grow A Growth Plan for the Greater Golden Horseshoe* (November Draft), be recommended for approval as amended to include the Committee's concerns and comments for Regional Council's approval on January 19, 2006.

Carried.

32. Final Recommendations Report
Regional Policy Plan Amendment 3-2005
Agri-Plastics Manufacturing Business
Township of West Lincoln
DPD 8-2006

Mr. Cambray noted that this development is an agricultural related manufacturing business as set out in the report and will be identified in the adopting by-law.

Moved by Councillor Trombetta

Seconded by Councillor Hildreth

That Report DPD 8-2006, January 11, 2006, respecting the Final Recommendations Report, Regional Policy Plan Amendment 3-2005, Agri-Plastics Manufacturing Business in the Township of West Lincoln, be received.

That Regional Policy Plan Amendment 3-2005 to permit a 4,645 square metre (50,000 square foot) existing commercial/industrial use in a Good General Agricultural Area, and an 1800 square metre (20,000 square foot) expansion of the commercial/industrial operation in the Township of West Lincoln be approved as a site specific amendment.

That the Regional Clerk ensure that a by-law is prepared for Council adoption.

That a copy of this report be forwarded to the Township of West Lincoln and the applicant.

Carried.

33. Planning Projects and Priorities for the Year 2006:
An Integrated Framework for Development and Conservation in Niagara
DPD 1-2006

Moved by Councillor Eke
Seconded by Councillor Angelone

That Report DPD 1-2006, January 11, 2006, respecting the Planning Projects and Priorities for the Year 2006: An Integrated Framework for Development and Conservation in Niagara, be received.

That the Year 2006 Planning Projects and Priorities report be received and a progress report be presented in September.

Carried.

(Refer to Staff Directions)

34. Reconstruction of Regional Road 89 (Glendale Avenue)
Between Mountain Street and CN Railway
In the City of St. Catharines
Trillium Railway Crossing Agreement
Project ZRC0238/RC0238

PWA 01-2006

Moved by Councillor Baty
Seconded by Councillor Mastroianni

That Report PWA 01-2006, January 11, 2006, respecting the Reconstruction of Regional Road 89 (Glendale Avenue), Between Mountain Street and CN Railway in the City of St. Catharines, Trillium Railway Crossing Agreement, Project ZRC0238/RC0238, be received.

That the Regional Chair and Clerk be authorized to execute an agreement with Trillium Railway Company Limited for the relocation of the level crossing and warning system over the Trillium Railway Company tracks on Regional Road 89 (Glendale Avenue), including associated costs estimated at \$15,5000;

That costs be charged against Project ZRC0238/RC0238 Reconstruction of Regional Road 89 (Glendale Avenue) Mountain Street to CN Railway.

Carried.

35. Sign Permit Blending with the Area Municipalities
For Issuance of Sign Permits on Private Property
PWA 07-2006

Moved by Councillor Bodner
Seconded by Councillor Mastroianni

That Report PWA 07-2006, January 11, 2006, respecting Sign Permit Blending with the Area Municipalities for Issuance of Sign Permits on Private Property, be received.

That staff be permitted to approach the area municipalities to establish a procedure for issuing permits for advertising signs on private properties through a permit blending process that features the means for the general public to obtain a sign permit in one location.

Carried.

PUBLIC MEETINGS

36. Joint Public Meeting
Regional Policy Plan Amendment 9-2005
ZOOZ Theme Park
Town of Fort Erie

Date: Monday, February 6, 2006
Time: 6:00 p.m.
Place: Town of Fort Erie Council Chambers

Councillors: Baty, Eke, Timms, Mastroianni.

37. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies

Date: Wednesday, February 1, 2006
Time: 7:00 p.m.
Place: Town of Lincoln Council Chambers

Councillors: Hodgson, Leavens, _____.

38. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies
Date: Wednesday, February 8, 2006
Time: 7:00 p.m.
Place: City of Niagara Falls Council Chambers

Councillors: Smeaton, Angelone, _____.

39. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies
Date: Wednesday, February 15, 2006
Time: 7:00 p.m.
Place: Township of Wainfleet Council Chambers

Councillors: Baty, Leavens, Bodner.

INFORMATION

40. Moved by Councillor Angelone
Seconded by Councillor Salci

That Communication PD 1-2006, a letter from the Ministry of Municipal Affairs and Housing on bringing local official plans into conformity with the Greenbelt Plan, be received.

Carried.

41. Moved by Councillor Angelone
Seconded by Councillor Salci

That Communication PD 2-2006, Bill 51 – Explanatory Notes Draft Revisions to the Planning Act and Conservation Land Act, be received and referred to staff for a report.

Carried.

42. Moved by Councillor Angelone
Seconded by Councillor Salci

That Communication PD 3-2006, a letter from Mr. David Watson on ensuring minimal impact of Timsdale Subdivision, Town of Pelham on existing properties, be received and referred to staff for consideration during the subdivision review.

Carried.

43. Moved by Councillor Angelone
Seconded by Councillor Salci

That Communication PD 4-2006, a letter to the Niagara Peninsula Conservation Authority on new regulations, land use and development, be received.

Carried.

44. Moved by Councillor Angelone
Seconded by Councillor Salci

That Communication PD 5-2006, a letter from Jean Grandoni setting out her concerns with Official Plan Amendment 63 in the City of Niagara Falls, be received and considered with DPD 7-2006.

Carried.

45. OMBI Pilot Project – Capital Assets Accounting and Reporting
PWA 216-2005 (CSD 168-2005)

Moved by Councillor Harry
Seconded by Councillor Bodner

That Report PWA 216-2005 (CSD 168-2005), December 6, 2005, respecting the OMBI Pilot Project – Capital Assets Accounting and Reporting, be received for information.

Carried.

(Please note that Report PWA 216-2005 (CSD 168-2005) can be found behind the JNT RPTS Blue Book Tab)

46. Public Works Staff Comments on
Development and Related Proposals
PWP 02-2006

Moved by Councillor Harry
Seconded by Councillor Gabriel

That Report PWP 02-2006, January 11, 2006, respecting the Public Works Staff Comments on Development and Related Proposals, be received for information.

Carried.

47. Public Works Staff Comments on
Municipal Servicing Applications
PWP 03-2006

Moved by Councillor Harry
Seconded by Councillor Gabriel

That Report PWP 03-2006, January 11, 2006, respecting the Public Works Staff Comments on Municipal Servicing Applications, be received for information.

Carried.

48. Update on Follow-Up Actions Regarding
The Wainfleet Servicing Class
Environmental Assessment (EA)
Township of Wainfleet
PWP 04-2006 (PHD 01-2006)

Moved by Councillor Harry
Seconded by Councillor Salci

That Report PWP 04-2006 (PHD 01-2006), January 11, 2006, respecting the Update on Follow-Up Actions Regarding, the Wainfleet Servicing Class, Environmental Assessment (EA) in the Township of Wainfleet, be received for information.

Carried.

49. Moved by Councillor Eke
Seconded by Councillor Salci

That staff report back on the financial implications of the Wainfleet Servicing Project, detailing the various funding options without affecting Wainfleet's application.

Carried.

50. Moved by Councillor Timms
Seconded by Councillor Bodner

That Planning staff report back on the land use planning implications of the Wainfleet Servicing Project.

Carried.

51. Construction Progress Report
Water & Wastewater Services Division Projects
PWP 05-2006

Moved by Councillor Harry
Seconded by Councillor Gabriel

That Report PWP 05-2006, January 11, 2006, respecting the Construction Progress Report, Water & Wastewater Services Division Projects, be received for information.

Carried.

52. Peer Review of the Elm Street
Landfill/Compost Facility Odour
Assessment Report
PWP 06-2006

Moved by Councillor Harry
Seconded by Councillor Gabriel

That Report PWP 06-2006, January 11, 2006, respecting the Peer Review of the Elm Street, Landfill/Compost Facility Odour Assessment Report, be received for information.

Carried.

53. Moved by Councillor Mastroianni
Seconded by Councillor Baty

That Communication PWC 01-2006, a letter from Joe Cousins Director, Transportation Services Division (November 25, 2005) to Mr. Jerry Boc, City of Welland, respecting the supply of fuel, be received.

Carried.

54. Moved by Councillor Mastroianni
Seconded by Councillor Baty

That Communication PWC 02-2006, a letter from C. Cincio, Acting Staff Sergeant, Niagara Regional Police Service to Joe Cousins, expressing appreciation to Cecil Cook, be received.

Carried.

55. Moved by Councillor Mastroianni
Seconded by Councillor Baty

That Communication PWC 03-2006, a letter from Joe Cousins, Director, Transportation Services Division (November 30, 2005) to Tim Hudak, MPP respecting the Bridge Replacement, Beckett's Bridge in the Town of Pelham and Township of Wainfleet, be received.

Carried.

56. Moved by Councillor Mastroianni
Seconded by Councillor Baty

That Communication PWC 04-2006, a letter from Anna Pierce, Chair, Niagara Falls Tourism commending the Regional Municipality of Niagara, the City of Niagara Falls, the Niagara Parks Commission and the Government of Ontario for beginning the Niagara Gateway Project, as it has significantly increased the marketability of Niagara Falls, be received.

Carried.

57. Glenridge Landfill Liaison Committee
September 14, 2005

Moved by Councillor Baty
Seconded by Councillor Mastroianni

That the minutes of Glenridge Landfill Liaison Committee meeting held September 14, 2005, be received.

Carried.

58. Elm Street Landfill/Compost Site Public Liaison Committee
November 2, 2005

Moved by Councillor Baty
Seconded by Councillor Mastroianni

That the minutes of the Elm Street Landfill/Compost Site Public Liaison Committee meeting held November 2, 2005, be received.

Carried.

OTHER BUSINESS

59. Renaming of Highway 140
City of Port Colborne

The Committee was advised that the City of Port Colborne has met with the Ministry of Transportation to suggest the possible renaming of Highway 140 to Highway 406.

Moved by Councillor Rigby
Seconded by Councillor Baty

That the Public Works staff review and report back on the transferring of Highway 58 for Highway 140 with the Ministry of Transportation, detailing the future cost implications.

Carried.

60. New Committee Structure

The Committee noted that presentations such as the Niagara-Hamilton WastePlan presentation should be made at Regional Council, due to their importance; that the Public Works items and the Planning items should be grouped together; that a cut off date of Friday of the week prior to Committee Week should be adhered to for addendum reports and that staff should be situated in Council Chambers close to microphones in order for them to be heard when responding to questions.

Councillor Baty advised the Committee that the process requires some fine tuning, which will be considered at a follow up meeting with the Regional Clerk. The Committee suggested that the Chairs' of the Committees be invited to attend to provide their input.

CLOSED SESSION (Continued)

61. Moved by Councillor Timms
Seconded by Councillor Eke

That this Committee do now meet in Closed Session for the purpose of receiving information of a confidential nature relating to legal and property matters.

Carried.

62. Niagara Recycling Processing Contract
PWA 04-2006 (CSD 05-2006) CONFIDENTIAL

Moved by Councillor Casselman
Seconded by Councillor Eke

That Confidential Report PWA 04-2006 (CSD 05-2006), January 11, 2006, respecting the Niagara Recycling Processing Contract, be referred to the January 19, 2006 Regional Council meeting.

Carried.

63. Proposed Property Purchase
Future Water Treatment Plant Expansion
Town of Grimsby
PWA 08-2006 (CSD 08-2006) CONFIDENTIAL

Moved by Councillor Bentley
Seconded by Councillor Timms

That Confidential Report PWA 08-2006 (CSD 08-2006), January 11, 2006, respecting the Proposed Property Purchase, Future Water Treatment Plant Expansion in the Town of Grimsby, be received and the recommendations contained therein be approved.

Carried.

64. Lease Extension
Planning Department
City of Thorold
PWA 09-2006 CONFIDENTIAL

Moved by Councillor Baty
Seconded by Councillor Bodner

That Confidential Report PWA 09-2006, January 11, 2006, respecting the Lease Extension, Planning Department in the City of Thorold, be received and the recommendations contained therein be approved.

Carried.

65. Lease Renewal
Document Storage
City of Thorold
PWA 10-2006 CONFIDENTIAL

Moved by Councillor Harry
Seconded by Councillor Timms

That Confidential Report PWA 10-2006, January 11, 2006, respecting the Lease Renewal, Document Storage in the City of Thorold, be received and the recommendations contained therein be approved.

Carried.

66. Contract RN 06-01
Reconstruction of Regional Road 89 (Glendale Avenue)
City of St. Catharines
Project ZRC9817/RC0238
CONFIDENTIAL MEMORANDUM
PWP 08A-2006 & PWP 08B-2006 CONFIDENTIAL

Moved by Councillor Harry
Seconded by Councillor Timms

That the Confidential Memorandum dated January 10, 2006, respecting Reports PWP 08A-2006 and PWP 08B-2006, Tender Award for RN 06-01, Reconstruction of Glendale Avenue; Confidential Reports PWP 08A-2006 Legal Analysis and PWP 08B-2006, January 11, 2006, respecting the Contract RN 06-01, Reconstruction of Regional Road 89 (Glendale Avenue) in the City of St. Catharines, Project ZRC9817/RC0238, be received.

That the Committee authorizes staff to proceed as staff has recommended, with a joint report being presented to Regional Council on January 19, 2006.

Carried.

Conflict of Interest

Councillor Bodner declared an indirect pecuniary interest with respect to the matter of Report PWP 07-2006, respecting the Landfill Site as Mayor of the City of Port Colborne, and therefore left Council Chambers during the discussion.

67. Landfill Site
PWP 07-2006 CONFIDENTIAL

Moved by Councillor Mastroianni
Seconded by Councillor Bentley

That Confidential Report PWP 07-2006, January 11, 2006, respecting the Landfill Site, be deferred until the additional staff report is distributed to the Committee.

Carried.

68. Moved by Councillor Harry
Seconded by Councillor Hodgson

That this Committee do now rise with report.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- review the Planning Budget presentation with Report DPD 1-2006 to elaborate on the budget presentation.(Refers to Minute Item 17)
- consider scheduling a Council Business Planning Session on Report DPD 1-2006, Planning Projects and Priorities for the Year 2006: An Integrated Framework for Development and Conservation in Niagara, to review its contents, as this was an excellent report. (Refers to Minute Item 17)

ADJOURNMENT

The Committee adjourned at 4:46 p.m., to meet again in Council Chambers, February 1, 2006 at 1:00 p.m.

Tim Rigby
Co-Chair

Bill Smeaton
Co-Chair

Janet Pilon
Acting Deputy Clerk

Pam Gilroy
Regional Clerk