

THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 3-2008

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, February 20, 2008 commencing at 1:10 p.m.

ATTENDANCE

Committee: Regional Chair Partington, Councillors, Rigby, Co-Chair, Smeaton, Co-Chair; Augustyn, Badawey, Baty, Burroughs, Casselman, D'Angela, Goulbourne, Henderson, Hodgson, Lepp, Marshall, McMullan, Salci, Timms, Trombetta, Zimmerman.

Staff: Messrs. Trojan, CAO; Farley, Director, Planning Services; Brothers, Commissioner, Public Works; Bergsma, Commissioner Corporate Services, Cousins, Director Transportation Services, Friesen, Director, Waste Management Services, Ms. Matthews-Malone, Director, Water & Wastewater; Mr. Robson, Director of Community Integration; Mr. Murphy, Manager Policy and Development; Ms. Williams, Senior Financial Analyst; Ms. Pilon, Acting Regional Clerk; Ms. Ricci, Legislative Assistant.

Others: Councillor Greenwood.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Co-Chairs determined that the ordinary quorum for the meeting be reduced to eleven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

PRESENTATION

31. 2008 Water & Wastewater Uniform Wholesale Rates and Requisitions

Councillor Rigby announced that the following presentation had been heard at the Corporate Services Committee that morning; he respectfully stated that perhaps staff and Council should look in to refining the process in an effort to prevent duplicate viewings for Committee members and staff. Councillor Zimmerman stated that she would support creating a "public utility" that would deal with these types of joint presentations.

Ms. Matthews-Malone, Director, Water and Wastewater Services, together with Mr. Murphy, Manager, Policy Development, provided a presentation respecting the 2008 Water and Wastewater Wholesale Volumetric Rates and Area Municipal Requisitions.

Ms. Matthews-Malone apprised Committee of the water and wastewater flows noting that both systems have been on a downward trend. Actual water flows, used to set rates, are significantly lower in 2007, than projected at 67.8 million m³ vs. 72.3 million m³. 2008 flows are projected at 70.7 million m³ based on a five year historical average. Wastewater flows, used to allocate the budgeted amount, were lower in 2007 than projected at 83.0 million m³ vs. 88.1 million m³. 2008 wastewater projected flows are projected at 85.2 million m³ based on a three year historical average. The Director provided charts depicting the actual and projected water and wastewater flows and water and wastewater flows trend.

The capital program for water and wastewater services provides the other major expenditure component impacting the volumetric rates and requisitions at \$2.2 million gross for the water capital program and \$40.7 million gross for the wastewater program.

In summary the 2008 Operating Expenditures are:

Water Operating Costs:

- \$43.1 million gross
- \$39.5 million net
- \$1.3 million or 3.4% increase over 2007

Wastewater Operating Costs:

- \$60.6 million gross
- \$57.0 million net
- \$1.4 million or 2.5% increase over 2007

Mr. Murphy highlighted the key objectives of the financing strategies for the water and wastewater systems as follows:

- keep systems self-sustaining
- focus on ratepayer affordability
- maintain adequate levels of reserves (rate stabilization, capital replacement)
- maximize use of development charge funding
- issue debt for growth related capital not funded from development charges, and for larger projects (CSO control tanks)

Mr. Murphy provided a notional water and wastewater rate. The notional rates are considered the rates that would have been arrived at had total Regional water and wastewater costs continued to be recovered solely from a wholesale volumetric rate. Combined the water and wastewater services have an annual notional rate increase of 5.9%. For a residential property that consumes 360 cubic meters of water/wastewater annually, the above rates would indicate a \$24.12 increase in Regional water and wastewater costs.

Committee was advised that the 2008 Water and Wastewater Wholesale Volumetric Rates and Area Municipal Requisitions are proposed as follows:

Water System – The wholesale volumetric rate charged to the area municipalities for actual consumption of water be established at \$0.554 per cubic metre, applied against actual monthly flows and no debt servicing costs.

Wastewater Recommendations – The Regional wastewater requisitions for:

- treatment costs be apportioned to the area municipalities based on their proportionate share of the Region's total three year average historical wastewater flows
- debt servicing costs – apportioned to each area municipality based on their proportionate share of total meter equivalents.

A chart was presented outlining wastewater requisitions for the period March 1, 2008 to February 28, 2009 for the area municipalities.

Future considerations that may impact the Water and Wastewater Wholesale Volumetric Rates and Area Municipal Requisitions were noted as:

- Development Charges By-law review to address shortfall in funding
- A review of the Water and Wastewater Rate Structure will be undertaken by the Joint local/regional water and wastewater working group in 2008
- Capital Budget Strategy

Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That the presentation respecting 2008 Water & Wastewater Uniform Wholesale Rates and Requisitions, be received for information.

Carried.

Quorum

It was at this point of the meeting that quorum was achieved.

32. Moved by Councillor D'Angela
Seconded by Councillor Zimmerman

That Report PWA 11-2008/CSD 15-2008, 2008 (February 20, 2008) respecting Water and Wastewater Wholesale Volumetric Rates and Area Municipal Requisitions, be brought forward and dealt with at this time.

Carried.

33. 2008 Water and Wastewater Wholesale
Volumetric Rates and Area Municipal Requisitions
PWA 11-2008/CSD 15-2008

Moved by Councillor Salci
Seconded by Regional Chair Partington

That Report PWA 11-2008/CSD 15-2008, February 20, 2008 respecting 2008 Water and Wastewater Wholesale Volumetric Rates and Area Municipal Requisitions, be received;

That this Committee recommends to Regional Council that the following be approved:

Water System

The wholesale volumetric rate charged to the area municipalities for actual consumption of water be established at \$0.554 per cubic meter for the period March 1, 2008 to February 28, 2009;

That the area municipal water consumption charge be billed monthly based on actual monthly volumes;

Wastewater System

That the Regional wastewater requisitions for;

- a) treatment costs be apportioned to the area municipalities based on their proportionate share of the Region's total three year average historical wastewater flows
- b) Debt servicing costs be apportioned to each area municipality based on their proportionate share of total meter equivalents (a systems capacity measure) in Niagara Region as detailed in Schedule 1

That the total Regional wastewater cost be requisitioned monthly to the area municipalities in twelve equal monthly billings as detailed in Schedule 1.

That the Regional Clerk be directed to ensure that the appropriate by-laws be prepared for presentation to Regional Council; and

That this report be circulated to the Area Municipal Clerks for information.

Carried.

(Refer to Councillor Information Requests)

(Please note that Report PWA 11-2008/CSD 15-2008 can be found behind the JNT RPTS Blue Book Tab)

ITEMS FOR CONSIDERATION

34. Farm Severance Policy
Regional Policy Plan Amendment 6-2005
DPD 8-2008

Moved by Councillor Baty
Seconded by Councillor Henderson

That Report DPD 8-2008, February 20, 2008 respecting Farm Severance Policy Regional Policy Plan Amendment 6-2005, be received;

That the “deferred decision” on Policy 6.A.9.1(b) in Regional Policy Plan Amendment 6-2005 with respect to the Region’s farm severance policy be removed;

That the following new Policy 6.A.9.1(b) be adopted for farm severances in “Good General Agricultural Areas”;

The consent is for a farm operation supported through a farm business plan and provided that the resulting parcels are both for agricultural use and the size of the resulting farm parcels;

- I. Is appropriate for the farming activities proposed,*
- II. Is suited to the particular location and common in the area,*
and
- III. Provides some flexibility for changes in the agricultural operation*

The foregoing includes small lot severances for greenhouses and other intensive forms of agriculture subject to the condition that any new dwellings on the property are allowed only after the greenhouse and other farm buildings have been constructed or substantially completed. It is important that small lot severances for intensive agricultural uses such as greenhouse operations be of a sufficient size so that these uses have ample room for future expansion;

That notice of Council's decision be circulated to all local municipalities and others with an interest in this matter, including the Ministry of Municipal Affairs and Housing in accordance with Planning Act requirements.

Carried.

35. Leachate and Stormwater Management Strategy
Station Road Landfill Site, Township of Wainfleet
PWA 12-2008

Moved by Councillor D'Angela
Seconded by Councillor Lepp

That Report PWA 12-2008, February 20, 2008 respecting Leachate and Stormwater Management Strategy Station Road Landfill Site, Township of Wainfleet, be received;

That the Leachate and Stormwater Management Strategy for Station Road Landfill Site in the Township of Wainfleet be approved;

That a closure date of December 31, 2008 be established for the Station Road Landfill site;

That F.A.Y. Farms Limited be retained to operate the Station Road Landfill Site on four additional days per week from May 1 to December 31, 2008;

That the existing agreement with F.A.Y. Farms Limited be amended to include the above noted recommendations; and

That the additional costs be charged to the 2008 Current Budget.

Carried.

36. Reduced Load Restrictions on Regional Roadways
PWA 13-2008

Moved by Councillor Badawey
Seconded by Councillor Marshall

That Report PWA 13-2008, February 20, 2008 respecting Reduced Load Restrictions on Regional Roadways, be received;

That Schedule "Y" and "Z" of By-law 89-2000, regulating the maximum vehicle weight to five tonnes per axle, be amended by adding or deleting the roadways listed in this report; and

That the Regional Clerk be requested to ensure the necessary by-law amendment is presented to Council on February 28, 2008.

Carried.

37. Operational Review
Regional Road 69 (Pelham Road)
City of St. Catharines
PWA 14-2008

Moved by Councillor McMullan
Seconded by Councillor Timms

That Report PWA 14-2008, February 20, 2008 Operational Review Regional Road 69 (Pelham Road) City of St. Catharines, be received;

That an all-way stop control be recommended at the intersection of Regional Road 69 (Pelham Road) and First Street;

That the existing 50 km/h speed limit on Regional Road 69 (Pelham Road) be extended 400 metres westerly; and

That the Regional Clerk be requested to ensure the necessary by-law amendment is presented to Council on February 28, 2008.

Carried.

38. Dedicated Gas Tax Funds for Public Transportation Program
PWA 15-2008

Moved by Councillor Henderson
Seconded by Councillor Timms

That Report PWA 15-2008, February 20, Dedicated Gas Tax Funds for Public Transportation Program, be received; and

That the attached By-Law approving the Region's participation in the Province of Ontario Dedicated Gas Tax Funds for Public Transportation Program, be approved;

That the Regional Chair and Regional Clerk be authorized to sign the attached "Letter of Agreement" between the Province and the Niagara Region; and

That staff be directed to forward a copy of the Regional By-Law and the Letter of Agreement to the Provincial Transit Policy office.

Carried.

39. Moved by Councillor Badawey
Seconded by Councillor McMullan

That the following minutes be received and the recommendations contained therein approved, as **amended**.

Minutes Planning Review Committee
January 23, 2008
Minute Item #4 (paragraph 4)

That comments be invited within 30 days of the notice (**extended to Monday, March 15, 2008**), such comments to be directed to the Department of Planning and Development for submission to Dillon Consulting.

Minutes Greater Niagara Circle Route Committee
Wednesday, January 30, 2008

Minutes Waste Management Steering Committee
December 11, 2007

Carried.

(Refer to Councillor Information Requests)

ITEMS FOR INFORMATION

40. Moved by Councillor Lepp
Seconded by Councillor Trombetta

That the following reports and be received for information:

PWC 04-2008	Safe Drinking Water Act versus Clean Water Act
PWP 06-2008	Project Activity Report Transportation Services
PWP 07-2008	2006 Transportation Tomorrow Survey (TTS) Status Update
PWP 08-2008	Project Activity Report Water & Wastewater Services
PWP 09 2008	Re-Launch of Green Bin Program and Implementation on the Ban of Plastic Bags for the Collection of Organics

Carried.

41. Moved by Councillor Casselman
Seconded by Councillor Trombetta

That the December 3, 2007 Minutes of the Culture Committee, be received for information.

Carried.

OTHER BUSINESS

42. Welland City Council – Requests

Councillor Goulbourne shared with Committee members two items that members of the Welland City Council would like information/ clarification regarding:

- That everyone on Welland City Council is pleased with the activity on the East Main Bridge, but wondered if it was possible to send out an e-mail updating Welland Council regarding exact details of the project and possibly issue a press release

- That a Welland City Councillor wished to have clarification on a recent article respecting Raw Water (90 million dollar price tag). Ms. Betty Matthews-Malone advised that she could provide clarity; Councillor Goulbourne stated that he will forward the correct contact information to her attention.

43. Wind Power Project

Councillor Henderson requested an update with respect to her previous inquiry respecting the Wind Energy Implementation – Wainfleet.

Mr. Trojan, CAO, stated that a full update would be provided in a report, from Corporate Services, during the next round of meetings.

CLOSED SESSION

44. Moved by Councillor Badawey
Seconded by Councillor McMullan

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

Carried.

45. Proposed Acquisition of Land by Municipality
Confidential PWA 10-2008/CSD 11-2008

Moved by Councillor Badawey
Seconded by Councillor McMullan

That Confidential Report PWA 10-2008/CSD 11-2008, February 20, 2008, respecting A Proposed Acquisition of Land by Municipality, be received and the recommendations contained therein be approved.

Carried.

46. Moved by Councillor Badawey
Seconded by Councillor Augustyn

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- investigate and design a report that quantifies the benefits of water conservation; show how effective conservation is (rather than concentrating on cost referral) (Refer to Minute Item #33) (Marshall)
- forward to all members of Council, a copy of the Planning Review Committee Terms of Reference (Refer to Minute Item #39) (Timms)

ADJOURNMENT

The Committee adjourned at 2:42 p.m., to meet again on Wednesday, March 12, 2008 in Council Chambers, Regional Headquarters.

Bill Smeaton
Co-Chair

Tim Rigby
Co-Chair

Janet Pilon
Acting Regional Clerk

Lisa Ricci
Legislative Assistant