

**THE REGIONAL MUNICIPALITY OF NIAGARA**

**PLANNING AND PUBLIC WORKS COMMITTEE**

**REPORT 14-2008**

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Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, October 29, 2008 commencing at 1:05 p.m.

**ATTENDANCE**

Committee: Regional Chair Partington; Councillors Rigby, Smeaton, Co-Chair(s); Augustyn, Baty, Casselman, D'Angela, Goulbourne, Henderson, Hodgson, Marshall, McMullan, Puttick, Salci, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer, Robson, Acting Commissioner, Planning and Development; Scholz, Associate Director, Transportation Services; Pollock, Director, Waste Management Services; Colosimo, Director Development Services; Ms. Matthews-Malone, Director, Water and Wastewater; Ms. Pilon, Deputy Clerk; Ms. Ricci, Legislative Assistant.

Other: Ms. Sim, Process Specialist, Ms. Koz, Manager Fleet Services, Mr. Cooke, Fleet Coordinator of Training and Safety; Mr. Van Zeyl / Mr. Cioffi / Mr. Desmarais, Winners of the Niagara Road Supervisory Association Truck Rodeo.

**OTHER BUSINESS**

319. Councillor Rigby announced to Committee members, and Committee agreed, that in an effort to streamline the agenda he would be taking the first half of the agenda as Co-Chair and Councillor Smeaton would handle the remainder as Co-Chair.
320. Councillor Rigby advised Committee members that the November 19, 2008 Planning and Public Works Agenda would have limited business and will primarily focus on Budget presentations therefore, the agenda will only list reports that require approval.

## PRESENTATIONS

### 321. Truck Rodeo Winners

Councillor Rigby advised Committee members that the Truck Rodeo presentation had initially been scheduled for the October 8<sup>th</sup> meeting of Planning and Public Works Committee however; due to agenda content they had been delayed. Councillor Rigby further advised that a letter of apology had been sent to each of the recipients and staff members.

Councillor Rigby introduced to Committee members Mr. Scholz, Associate Director Transportation and Mr. Cecil Cooke, Fleet Coordinator of Training and Safety and asked that they proceed with their presentation.

Mr. Scholz thanked Committee members for the opportunity to come before committee and recognize the 2008 winners of the Niagara Road Supervisors Association Truck Rodeo.

Mr. Scholz stated that contestants are expected to parallel park (in a spot that would barely fit a car) with a large tandem dump utilizing only their side mirrors. They are then expected to add three more maneuvers, a safety check all while the event is being timed and watched by several judges.

Councillor Rigby joined Mr. Scholz and Mr. Cooke in the presentation of awards to the following individuals:

- 3<sup>rd</sup> Place      Casey Van Zeyl
- 2<sup>nd</sup> Place      Angelo Cioffi
- 1<sup>st</sup> Place      Dwayne Desmarais

In closing Mr. Scholz stated that this is a local qualifying event for the provincial competition. Winning the local Rodeo is a prerequisite to qualify for the provincial event. Mr. Desmarais therefore not only won top marks in amongst the Regional entries, he also won the local Niagara event; subsequently he attended the provincial event and placed 6<sup>th</sup> overall in the province.

### 322. Drinking Water Quality Management Standard (DWQMS) Update

Ms. Heather Sim, Process Specialist was present to provide Committee members with a presentation respecting the Drinking Water Quality Management Standard (DWQMS) Update.

Ms. Sim stated that the purpose of the presentation was to obtain endorsement of Niagara Region's Quality Management System Operational Plan.

Highlights of the presentation were, in part, as follows:

- Municipal Drinking Water Licensing Program Review
- Municipal Drinking Water Licensing Program Requirements
- DWQMS Review
- DWQMS Requirements
- DWQMS Significance to Council
- Niagara's Drinking Water Systems
- Niagara Region's Operational Plan
- Endorsement of Operational Plan
- Owner Delegate
- Future Updates to Council
- New QMS Representative
- Milestones
- Financial Implications

In closing and to summarize Ms. Sim stated that implementation of the DWQMS is required under *Safe Drinking Water Act*, Niagara's QMS will help Council meet Standard of Care Provisions and update reports at least once per year will be provided by staff to Committee and Council.

Moved by Councillor Henderson  
Seconded by Councillor Baty

That the aforementioned presentation from Ms. Sims be referred to Report PWA 109-2008 respecting Drinking Water Quality Management Standard Update.

Carried.

323. Overview of Proposed Revisions to  
Combined Sewer Overflow (CSO) Policy

Mr. Peter Baker, Associate Director Water Wastewater Engineer was present to provide Committee members with a presentation respecting the Overview of Proposed Revisions to Combined Sewer Overflow (CSO) Policy.

Mr. Baker stated that the policy objective is to reduce overflows to meet or exceed MOE F-5-5 goal of 90% capture and treatment of wet weather flow and that the intent is to facilitate implementation of the "best solution" regardless of ownership.

He further stated that the plan called for municipalities to enact by-laws for the mandatory disconnection of downspouts and foundation drains; to date, only two municipalities have taken this step.

Highlights of the presentation were, in part, as follows:

- Proposed Revisions to Scoring Criteria
- Issues
- Proposed Policy Amendments

In closing Mr. Baker requested that the CSO Control Policy be amended, as presented in draft form in Appendix A, or as amended to a form satisfactory to Regional Council.

Moved by Councillor McMullan  
Seconded by Councillor Marshall

That the aforementioned presentation from Mr. Baker, be referred to Report PWA 116-2008 respecting Overview of Proposed Revisions to Combined Sewer Overflow (CSO) Policy.

Carried.

324. Waste Management Level of Service Implementation Strategy

Mr. Pollock, Director Waste Management Services provided Committee members with a PowerPoint presentation entitled, "Waste Management Services Level of Service and Rate Study Implementation Strategy".

Mr. Pollock offered the following as background regarding his PowerPoint presentation:

- Level of Service and Rate Study initiated in 2006 to identify options to maximize waste diversion and meet Council's 65% diversion target
- Additional research and public consultation completed
- Majority of recommended options are a standard part of a waste management system
- Behaviour change initiatives in the form of waste collection service changes are the major decision point

Further highlights were, in part, as follows:

- What's Left in the Garbage Bag/Can
- Niagara's Diversion Rate "How Do We Get to 65%?"
- Achieving 50% Waste Diversion
- Achieving 55% - 65% Waste Diversion
- Implementation Strategy
- Phase 2 Level of Service Activities
- WMAC Support

In closing Mr. Pollock advised that collection contract tender submissions would be due March 2009, recommendations on collection frequency and other level of service collection contract options to Waste Management Planning Steering Committee, Planning and Public Works Committee and Council April/May 2009 and then the tender would be awarded May 2009.

Moved by Councillor D'Angela  
Seconded by Councillor Goulbourne

That the aforementioned presentation from Mr. Pollock, be referred to Report PWA 111-2008 respecting Waste Management Level of Service Implementation Strategy.

Carried.

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.

**ITEMS FOR CONSIDERATION**

325. Drinking Water Quality Management Standard Update  
**PWA 109-2008**

Moved by Councillor McMullan  
Seconded by Councillor Timms

That Report PWA 109-2008 dated October 21, 2008 respecting Drinking Water Quality Management Standard Update, be received as ***amended***;

That Council approve and endorse the Operational Plan as presented for all five of Niagara Region's drinking-water systems ***on behalf of the System Owner, The Regional Municipality of Niagara***;

That the Regional Chair and Regional Clerk be authorized to endorse (sign) the Operational Plan on behalf of Council; and

That the Commissioner of Public Works, or designate, be delegated authority to endorse future changes to the Operational Plan of a minor or administrative nature on behalf of Council.

Carried.



328. Official Plan Amendment No. 40  
Complete Application and Pre-Consultation Requirements  
Town of Niagara-on-the-Lake  
**PWA 107-2008**

Moved by Councillor Goulbourne  
Seconded by Councillor Timms

That Report PWA 107-2008, October 29, 2008 respecting Official Plan Amendment No. 40 Complete Application and Pre-Consultation Requirements Town of Niagara-on-the-Lake, be received; and

That Amendment No. 40 to the Town of Niagara-on-the-Lake Official Plan be approved;

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

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

Carried.

329. Niagara Specialized Transit Amending Agreement  
with the Canadian Red Cross – Niagara Branch  
**PWA 108-2008**

Moved by Councillor Goulbourne  
Seconded by Councillor Timms

That Report PWA 108-2008, October 29, 2008, 2008 respecting, Niagara Specialized Transit Amending Agreement with the Canadian Red Cross – Niagara Branch, be received and the recommendations contained therein approved; and

That the Regional Chair and the Regional Clerk be authorized to execute the Niagara Specialized Transit (NST) Amending Agreement with the Canadian Red Cross.

Carried.

330. Waste Management Level of Service Implementation Strategy  
**PWA 111-2008**

Moved by Councillor Augustyn  
Seconded by Councillor Goulbourne

That Report PWA 111-2008, October 29, 2008, 2008 respecting, Waste Management Level of Service Implementation Strategy, be received; and

That the tender for waste collection services be issued with pricing for the following collection frequency options:

- Every other week waste collection with a three container (bag/can) limit
- Weekly waste collection with a one container (bag/can) limit
- Alternating weekly Blue/Grey Box collection
- Weekly Blue and Grey Box collection

That based on the tender results received, staff will present a cost and waste diversion impact assessment of the collection frequency options for Council's consideration;

That the weekly Green Bin collection program be extended Region-wide to include West Lincoln and Wainfleet as a base level of service; and

That the remaining program components in the Level of Service recommendations (public open space recycling, reuse centres, municipal hazardous waste depots and clear bag pilot) be approved for implementation, pending annual budget approval and tender/contract award.

Carried.

Moved by Councillor D'Angela  
Seconded by Councillor Augustyn

That staff report back on the cost of the compostable/paper bags versus the projected cost savings; alternate options for the collection of leaf and yard waste; the cost of not reaching the 65% diversion rate;

That a Region wide "Public Open Spaces" policy for recycling be established working with the area municipalities with a funding source (e.g. Council Business Plan funds for Special Projects) whereby the Region would allot funds for the program with each municipality matching the contribution; and

That a regionally recognized bin be designed that would support the Public Open Spaces policy and program.

Carried.

Councillor Goulbourne requested that the aforementioned staff report respecting Public Open Space Policy be provided to the Waste Management Planning Steering Committee and to the Planning and Public Works Committee.

(Refer to Councillor Information Requests)

331. Additional Engineering Fees  
For The Frenchman's Creek Trunk Sanitary Sewer  
Town of Fort Erie  
**PWA 113-2008**

Moved by Councillor Augustyn  
Seconded by Councillor D'Angela

That Report PWA 113-2008, October 29, 2008, respecting Additional Engineering Fees For The Frenchman's Creek Truck Sanitary Sewer Town of Fort Erie, be received;

That Associated Engineering Ltd. be awarded additional fees in the amount of \$391,958 for engineering design services for the Frenchman's Creek Trunk Sanitary Sewer in the Town of Fort Erie; and

That the cost associated with this work be charged against Capital Project ZSW0512/SW0512 – Frenchman's Creek Trunk Sanitary Sewer.

Carried.

332. Municipal Eco Challenge Funding (MECF) Award  
Environmental Centre Energy Retrofit Project  
**PWA 114-2008(CSD 140-2008)**

Moved by Councillor Augustyn  
Seconded by Councillor D'Angela

That Report PWA 114-2008(CSD 140-2008), respecting Municipal Eco Challenge Funding (MECF) Award Environmental Centre Energy Retrofit Project, be received for information.

That the Regional Chair and Clerk be authorized to execute a Contribution Agreement with the Province of Ontario to receive \$100,000 in grant funding.

Carried.

(Please note that Report PWA 114-2008(CSD 140-2008) can be found behind the JNT RPTS Blue Book Tab)

333. Transfer of Funds – Contract RN 05-45  
Port Dalhousie Wastewater Treatment Plant  
Upgrades – Phase 3  
City of St. Catharines  
**PWA 115-2008(CSD 141-2008) Revised**

Moved by Councillor Augustyn  
Seconded by Councillor D'Angela

That Report PWA 115-2008(CSD 141-2008) Revised, October 29, 2008, respecting Transfer of Funds – Contract RN 05-45 Port Dalhousie Wastewater Treatment Plant Upgrades – Phase 3, City of St. Catharines, be received.

That previously approved Wastewater Reserve Fund financing in the amount of \$240,000 be transferred from Project ZSW0209/SW0209, Gravity Sewer on Rice Road and Quaker Road to Project ZSW9816/SW0422 Port Dalhousie WWTP Upgrades – Phase 3.

That payment in the amount of \$200,000 be approved to Graham Construction and Engineering Inc. for construction services and that payment in the amount of \$88,014 be approved to R.V. Anderson Associates Limited for engineering services for the Port Dalhousie Wastewater Treatment Plant Phase 3 Upgrade, Contract RN05-45, in the City of St. Catharines.

That these costs be charged against Project ZSW9816/SW0422.

Carried.

(Please note that Report PWA 115-2008(CSD 141-2008 Revised) can be found behind the JNT RPTS Blue Book Tab)

334. Growing the Greenbelt  
Criteria for Considering Requests to Expand the Greenbelt  
**DPD 46-2008**

Moved by Councillor Augustyn  
Seconded by Councillor D'Angela

That Report DPD 46-2008, October 29, 2008, respecting Growing the Greenbelt Criteria for Considering Requests to Expand the Greenbelt, be received;

That this report be circulated to all municipalities in Niagara within or abutting the Greenbelt Plan Area;

That affected Niagara municipalities be requested to identify whether they would support requests to expand the Greenbelt within their municipality; and

That any requests for expansions to the Greenbelt await the completion of the Region's Growth Strategy exercise.

Carried.

335. Implementation of *Smarter Niagara* Incentive Programs  
Local and Regional Partnerships  
Town of Niagara-on-the-Lake  
Old Town Vision and Dock Area Secondary Plan  
**DPD 47-2008**

Moved by Councillor Trombetta  
Seconded by Councillor Goulbourne

That Report DPD 47-2008, October 29, 2008, respecting Implementation of *Smarter Niagara* Incentive Programs Local and Regional Partnerships Town of Niagara-on-the-Lake Old Town Vision and Dock Area Secondary Plan, be received;

That the Old Town Vision and Dock Area Secondary Plan project for the Town of Niagara-on-the-Lake be supported, and that staff participation on a project steering committee and funding at the level up to \$50,000, be approved, subject to approval of the 2009 budget for the *Smarter Niagara* Incentives Program; and

That a copy of this report be sent to all the local municipalities with an invitation to partner with the Region in the implementation of the *Smarter Niagara* Incentives Program.

Carried.

336. Implementation of *Smarter Niagara* Incentive Programs  
Local and Regional Partnerships  
City of St. Catharines  
A Strategic Vision for the Downtown  
**DPD 48-2008**

Moved by Councillor Trombetta  
Seconded by Councillor Goulbourne

That Report DPD 48-2008, October 29, 2008, respecting Implementation of *Smarter Niagara* Incentive Programs Local and Regional Partnerships City of St. Catharines A Strategic Vision for the Downtown, be received;

That the extension of the Downtown Visualization project for the City of St. Catharines be supported, and that staff participation on a project steering committee and funding at the level up to \$50,000, be approved, subject to approval of the 2009 budget for the *Smarter Niagara* Incentives Program;

That a copy of this report be sent to all the local municipalities with an invitation to partner with the Region in the implementation of the *Smarter Niagara* Incentives Program.

Carried.

337. Implementation of *Smarter Niagara* Incentive Programs  
Local and Regional Partnerships  
City of Thorold  
Downtown Thorold Architectural Façade Design  
**DPD 49-2008**

Moved by Councillor Trombetta  
Seconded by Councillor Goulbourne

That Report DPD 49-2008, October 29, 2008, respecting Implementation of *Smarter Niagara* Incentive Programs Local and Regional Partnerships City of Thorold Downtown Thorold Architectural Façade Design, be received;

That the Downtown Architectural Façade Design project for the City of Thorold be supported, and that staff participation on a project steering committee and funding at the level up to \$3,500, be approved, subject to approval of the 2009 budget for the *Smarter Niagara* Incentives Program; and

That a copy of this report be sent to all the local municipalities with an invitation to partner with the Region in the implementation of the *Smarter Niagara* Incentives Program.

Carried.

338. Clearance of Zoning By-law Condition  
Respecting Woodland Clearing  
Coyote Golf and Country Club  
City of Port Colborne  
**DPD 50-2008**

Moved by Councillor Puttick  
Seconded by Councillor Augustyn

That Report DPD 50-2008, October 29, 2008, respecting Clearance of Zoning By-law Condition Respecting Woodland Clearing Coyote Golf and Country Club City of Port Colborne, be received; and

That Regional Council direct staff to advise the City of Port Colborne that the Region clears the condition to Zoning By-law Amendment 3760/46/99 which required the landowner to secure a tree cutting permit from the Region, subject to the Mortgagee of the Coyote Golf and Country Club providing \$15,000 to the Region for tree planting to replace woodland that has been cleared.

Carried.

339. Minutes – Smarter Niagara Steering Committee  
**8-2008**

Moved by Councillor Goulbourne  
Seconded by Councillor Augustyn

That the Minutes of the Smarter Niagara Steering Committee (8-2008), October 1, 2008, be received and the recommendations contained therein approved.

Carried

### **ITEMS FOR INFORMATION**

340. Capital Projects  
Variance Report – Over Expenditures  
December 2007 – June 2008  
**CSD 126-2008**

Moved by Councillor Rigby  
Seconded by Councillor Timms

That Report CSD 126-2008, October 8, 2008, respecting Capital Projects Variance Report – Over Expenditures December 2007 – June 2008, be received for information.

Carried.

341. Correspondence (dated September 26, 2008)  
Re: New Public Advisory Committee  
**PWC 39-2008**

Moved by Councillor Puttick  
Seconded by Councillor Henderson

That the Correspondence (dated September 26, 2008) from Ms. Betty Konc respecting a new Public Advisory Committee, be received for information.

Carried.

342. Correspondence (dated October 23, 2008) from Genivar  
Re: Notice of Public Information Centre #1  
**PWC 40-2008**

Moved by Councillor Puttick  
Seconded by Councillor Henderson

That the Correspondence (dated October 23, 2008) from Genivar respecting Notice of Public Information Centre #1, be received for information.

Carried.

343. Memo from Planning Staff Re Light Pollution  
**PD 16-2008**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That the Memo from Planning Staff respecting Light Pollution, be received for information.

Carried.

344. Letter (dated October 17, 2008) from Sullivan Mahoney LLP  
Re: Rankin Construction Inc. and Regional Policy Plan Amendment 5-2007  
**PD 17-2008**

Moved by Councillor Rigby  
Seconded by Councillor Trombetta

That the Letter (dated October 17, 2008) from Sullivan Mahoney LLP respecting Rankin Construction Inc. and Regional Policy Plan Amendment 5-2007, be received for information.

Carried.

345. Moved by Councillor Augustyn  
Seconded by Councillor Goulbourne

That the following minutes be received for information:

Minutes                      Culture Committee  
   July 21, 2008

Minutes                      Culture Committee  
   September 8, 2008

Minutes                      Regional Chair's Agricultural Task Force  
   Friday, October 3, 2008

Carried.

346. Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project  
Minutes - Monday, September 22, 2008

Moved by Councillor Henderson  
Seconded by Councillor Timms

That the Minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project, September 22, 2008, be received for information.

Carried.

**OTHER BUSINESS (cont'd)**

347. Deficient Septic Systems

Councillor Timms stated that he would be speaking with Dr. Williams with respect to staff investigating how Peel Region was handling their deficient septic system orders and in to continuing to pursue issues respecting failing systems.

Councillor Henderson inquired as to whether septic systems and oversights of those were now under the jurisdiction of Public Works.

Ms. Matthews-Malone advised that the above was in the transitioning phase.

348. Commissioner Public Works

Councillor Rigby, on behalf of the Committee members, offered condolences to Mr. Brothers on the passing of his Father.

349. Growth Management Presentation  
October 23, 2008

Councillor Goulbourne stated that due to the October 23, 2008 presentation respecting Growth Management had not offered any consensus or strong support of the options provided, what were the intended "next steps"?

Mr. Robson advised that a staff report would be coming forward detailing implementation questions and steps to address concerns in West Niagara (e.g. service deficiencies).

Councillor Augustyn inquired as to when the information regarding the October 23, 2008 presentation would be listed on the website.

Mr. Robson stated that the presentation material had been listed and the background information would be forthcoming.

**CLOSED SESSION**

350. Moved by Councillor Timms  
Seconded by Councillor Augustyn

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to matters concerning A Proposed Acquisition of Land by the Municipality.

Carried.

351. Proposed Acquisition of Land by the Municipality  
Reconstruction of Regional Road No. 20  
City of Thorold and Town of Pelham  
**Confidential PWA 110-2008(CSD 134-2008)**

Moved by Councillor D'Angela  
Seconded by Councillor Augustyn

That Confidential Report PWA 110-2008(CSD 134-2008), October 8, 2008, respecting a Proposed Acquisition of Land by the Municipality Reconstruction of Regional Road No. 20 City of Thorold and Town of Pelham, be received and the recommendations contained therein be approved.

Carried.

352. Moved by Councillor Augustyn  
Seconded by Councillor Timms

That this Committee do now rise with report.

Carried.

### **COUNCILLOR INFORMATION REQUESTS**

Staff was requested to:

- Report on what was the overflow 5 years ago, how much closer are we to achieving the goal of 90% (Refer to Minute Item #326) (Regional Chair Partington)
- Confirm how many people were in attendance at the West Lincoln Open House (Refer to Minute Item #330) (Councillor Trombetta)

### **ADJOURNMENT**

The Committee adjourned at 3:35 p.m. to meet again at 1:00 p.m. on Wednesday, November 19, 2008 in Council Chambers, Regional Headquarters.

Councillor Rigby  
Co-Chair

Councillor Smeaton  
Co-Chair

Lisa Ricci  
Legislative Assistant

Pam Gilroy  
Regional Clerk